

# HOUSE BILL NO. 5118

October 10, 2023, Introduced by Reps. Hood, Rheingans, Morgan, Byrnes and Brixie and referred to the Committee on Energy, Communications, and Technology.

A bill to amend 2010 PA 270, entitled "Property assessed clean energy act," (MCL 460.931 to 460.949) by amending the title, by designating section 1 as part 1 and sections 3 to 19 as part 2, and by adding part 3.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1** TITLE  
**2** An act to authorize local units of government to adopt  
**3** property ~~assessed clean energy~~ **assessment** programs and to create

1 districts to promote the use of renewable energy systems, and  
 2 energy efficiency improvements, **water usage and sewage treatment**  
 3 **improvements, air quality improvements, and environmental hazard**  
 4 **projects** by ~~owners of certain real property~~ **owners**; to provide for  
 5 the financing of such programs through voluntary property  
 6 assessments, commercial lending, and other means; to authorize a  
 7 local ~~unit~~ **units** of government to issue bonds, notes, and other  
 8 evidences of indebtedness and to pay the cost of renewable energy  
 9 systems, ~~and energy efficiency improvements, water usage and sewage~~  
 10 **treatment improvements, air quality improvements, and environmental**  
 11 **hazard projects** from the proceeds thereof; to provide for the  
 12 repayment of bonds, notes, and other evidences of indebtedness; to  
 13 authorize certain fees; to prescribe the powers and duties of  
 14 certain governmental officers and entities; and to provide for  
 15 remedies.

16 **PART 1**

17 **GENERAL PROVISIONS**

18 **PART 2**

19 **COMMERCIAL AND INDUSTRIAL PROPERTY**

20 **PART 3**

21 **NONCOMMERCIAL, NONINDUSTRIAL PROPERTY**

22 **Sec. 20. As used in this part:**

23 (a) "Administrator" means a person authorized by a local unit  
 24 of government under section 28(1) to administer a property assessed  
 25 clean energy program on behalf of and at the discretion of the  
 26 local unit of government.

27 (b) "Anaerobic digester" means a facility that uses  
 28 microorganisms to break down biodegradable material in the absence  
 29 of oxygen, producing methane and an organic product.

1 (c) "Anaerobic digester energy system" means an anaerobic  
2 digester and the devices used to generate electricity or heat from  
3 methane produced by the anaerobic digester or to store the methane  
4 for the future generation of electricity or heat.

5 (d) "District" means a district created by a local unit of  
6 government under a property assessed clean energy program that lies  
7 within the local unit of government's jurisdictional boundaries. A  
8 local unit of government may create more than 1 district under the  
9 program, and districts may be separate, overlapping, or  
10 coterminous.

11 (e) "Energy efficiency improvement" means the acquisition,  
12 installation, replacement, or modification of equipment, devices,  
13 or materials intended to decrease energy consumption, including,  
14 but not limited to, any of the following:

15 (i) Insulation in walls, roofs, floors, foundations, or heating  
16 and cooling distribution systems.

17 (ii) Storm windows and doors; multi-glazed windows and doors;  
18 heat-absorbing or heat-reflective glazed and coated window and door  
19 systems; and additional glazing, reductions in glass area, and  
20 other window and door system modifications that reduce energy  
21 consumption.

22 (iii) Automated energy control systems.

23 (iv) Heating, ventilating, or air-conditioning and distribution  
24 systems.

25 (v) Caulking, weather-stripping, or air sealing.

26 (vi) Lighting fixtures.

27 (vii) Energy recovery systems.

28 (viii) Day lighting systems.

29 (ix) Electrical wiring or outlets to charge a motor vehicle

1 that is fully or partially powered by electricity.

2 (x) Any other equipment, devices, or materials approved as a  
3 utility cost-savings measure by the governing body.

4 (f) "Energy project" means any of the following:

5 (i) An energy efficiency improvement.

6 (ii) The acquisition, installation, replacement, or  
7 modification of a renewable energy system or anaerobic digester  
8 energy system.

9 (g) "Environmental hazard project" means the acquisition,  
10 installation, replacement, or modification of equipment, devices,  
11 or materials intended to address environmental hazards, including,  
12 but not limited to, measures to do any of the following:

13 (i) Mitigate lead, heavy metal, or polyfluoroalkyl substance  
14 (PFAS) contamination in potable water systems.

15 (ii) Mitigate the effects of floods or drought.

16 (iii) Increase the resistance of property against severe  
17 weather.

18 (iv) Mitigate lead paint contamination in housing built before  
19 1978.

20 (v) Reduce emissions to outdoor or indoor air or control  
21 indoor humidity.

22 (vi) Replace or improve an on-site septic sewage system,  
23 including either of the following:

24 (A) Conversion to a central sewage system.

25 (B) Repairs or modifications to the on-site septic sewage  
26 system or to a lateral connection to a central sewage system.

27 (h) "Governing body" means any of the following:

28 (i) The county board of commissioners of a county.

29 (ii) The township board of a township.

1           (iii) The council or other similar elected legislative body of a  
2 city or village.

3           (iv) The governing body of a separate legal entity created  
4 pursuant to section 7 of the urban cooperation act of 1967, 1967  
5 (Ex Sess) PA 7, MCL 124.507.

6           (i) "Local unit of government" means a county, township, city,  
7 or village or a separate legal entity created pursuant to section 7  
8 of the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL  
9 124.507.

10           (j) "New construction energy project" means an energy project  
11 to which either of the following applies:

12           (i) It occurs at a newly constructed building or other  
13 structure.

14           (ii) It consists of significant modifications to an existing  
15 building or other structure.

16           (k) "Person" means an individual, firm, partnership,  
17 association, corporation, unincorporated joint venture, or trust,  
18 organized, permitted, or existing under the laws of this state or  
19 any other state, a federal corporation, or a combination thereof.  
20 However, person does not include a local unit of government.

21           (l) "Project" means any of the following:

22           (i) An environmental hazard project.

23           (ii) An energy project.

24           (iii) Measures to reduce the usage of water or increase the  
25 efficiency of water usage.

26           (m) "Property" means privately owned real property used for  
27 residential purposes located within the local unit of government.  
28 However, property does not include multifamily residential property  
29 with 5 or more dwelling units.

1 (n) "Property assessed clean energy program" or "program"  
2 means a program as described in section 21(2).

3 (o) "Record owner" means the person or persons possessed of  
4 the most recent fee title or land contract vendee's interest in  
5 property as shown by the records of the county register of deeds.

6 (p) "Renewable energy resource" means a resource that  
7 naturally replenishes over a human, rather than a geological, time  
8 frame and that is ultimately derived from solar power, water power,  
9 or wind power. Renewable energy resource does not include  
10 petroleum, nuclear, natural gas, or coal. A renewable energy  
11 resource comes from the sun or from thermal inertia of the earth,  
12 minimizes the output of toxic material in the conversion of the  
13 energy, and includes, but is not limited to, all of the following:

14 (i) Biomass.

15 (ii) Solar and solar thermal energy.

16 (iii) Wind energy.

17 (iv) Geothermal energy.

18 (v) Methane gas captured from a landfill.

19 (q) "Renewable energy system" means a fixture, product,  
20 device, or interacting group of fixtures, products, or devices on  
21 the customer's side of the meter that use 1 or more renewable  
22 energy resources to generate electricity. Renewable energy system  
23 includes a biomass stove but does not include an incinerator or  
24 digester.

25 Sec. 21. (1) Pursuant to section 22, a local unit of  
26 government may establish a property assessed clean energy program  
27 and may create a district or districts under the program.

28 (2) Under a property assessed clean energy program, the local  
29 unit of government may enter into a written contract with the

1 record owner of property within a district to finance or refinance  
2 1 or more projects on the property. The contract may provide for  
3 the repayment of the cost of a project through assessments on the  
4 property benefited. The financing or refinancing may include the  
5 cost of materials and labor necessary for installation and of  
6 permit fees, inspection fees, application and administrative fees,  
7 bank fees, or any other fees that may be incurred by the record  
8 owner for the installation on a specific or pro rata basis, as  
9 determined by the local unit of government.

10 Sec. 22. (1) To establish a property assessed clean energy  
11 program, a governing body shall take the following actions in the  
12 following order:

13 (a) Adopt a resolution of intent that includes all of the  
14 following:

15 (i) A finding that financing projects is a valid public  
16 purpose.

17 (ii) A statement of intent to provide funds for projects, which  
18 may be repaid by assessments on the property benefited, with the  
19 agreement of the record owner.

20 (iii) A description of the proposed arrangements for financing  
21 the property assessed clean energy program.

22 (iv) The types of projects that may be financed.

23 (v) Reference to a report on the proposed property assessed  
24 clean energy program as described in section 23(1) and where the  
25 report is available pursuant to section 23(2).

26 (vi) The time and place for a public hearing on the proposed  
27 property assessed clean energy program.

28 (b) Hold a public hearing at which the public may comment on  
29 the proposed property assessed clean energy program, including the

1 report required by subdivision (a) (v) .

2 (c) Adopt a resolution establishing the property assessed  
3 clean energy program and setting forth its terms and conditions,  
4 including, but not limited to, all of the following:

5 (i) Matters required by section 23(1) to be included in the  
6 report. For this purpose, the resolution may incorporate the report  
7 or an amended version of the report by reference.

8 (ii) A description of aspects of the program that may be  
9 amended without holding a new public hearing and aspects that may  
10 be amended only after a new public hearing is held.

11 (d) Offer a workshop by an organization knowledgeable about  
12 property assessed clean energy program financing, to provide  
13 information about the program to realtors and other interested  
14 persons. The workshop shall be offered each year during the first 3  
15 years of the program.

16 (2) A governing body that establishes a property assessed  
17 clean energy program shall prohibit the administrator, a project  
18 contractor, or a third party hired by the administrator or project  
19 contractor to solicit program financing from describing program  
20 financing as government assistance or as free of charge.

21 (3) The governing body may amend a property assessed clean  
22 energy program by resolution. Before adopting the resolution, the  
23 governing body shall hold a public hearing if required by the  
24 resolution under subsection (1) (c) .

25 Sec. 23. (1) The report on the proposed property assessed  
26 clean energy program required under section 22 shall include all of  
27 the following:

28 (a) A form of contract between the local unit of government  
29 and the record owner governing the terms and conditions of



1 financing and assessment under the program.

2 (b) The identity of an official authorized to enter into a  
3 program contract on behalf of the local unit of government.

4 (c) A maximum aggregate annual dollar amount for all financing  
5 to be provided by the local unit of government under the program.

6 (d) An application process and eligibility requirements for  
7 financing projects under the program.

8 (e) A method for determining repayment periods, the maximum  
9 amount of an assessment, and interest rates on assessment  
10 installments.

11 (f) An explanation of how assessments will be made and  
12 collected consistent with section 25(3).

13 (g) A plan for raising capital to finance improvements under  
14 the program. The plan may include any of the following:

15 (i) The sale of bonds or notes, subject to section 26.

16 (ii) Amounts to be advanced by the local unit of government  
17 through funds available to it from any other source.

18 (iii) Owner-arranged financing from a commercial lender. Under  
19 owner-arranged financing, the local unit of government may impose  
20 an assessment pursuant to section 24 and forward payments to the  
21 commercial lender or the record owner may pay the commercial lender  
22 directly.

23 (h) Information regarding both of the following, to the extent  
24 known, or procedures to determine the following in the future:

25 (i) Any reserve fund or funds to be used as security for bonds  
26 or notes described in subdivision (g).

27 (ii) Any application, administration, or other fees to be  
28 charged to record owners participating in the program that will be  
29 used to finance costs incurred by the local unit of government as a

1 result of the program.

2 (i) A requirement that the term of an assessment not exceed  
3 the useful life of the project paid for by the assessment.

4 (j) A requirement that the total amount of the assessments  
5 under the program not exceed 20% of the current value of the  
6 property.

7 (k) A requirement that the total amount of the assessments  
8 under the program on a property, plus all existing mortgage debt on  
9 the property, not exceed the current value of the property.

10 (l) A requirement that the total amount of the annual  
11 assessment under the program on a property not exceed 10% of the  
12 annual income of the record owner.

13 (m) Provisions for marketing and participant education,  
14 including a requirement that before a record owner signs a program  
15 financing agreement, the administrator provide the record owner  
16 with a program guide, written in plain language, describing all of  
17 the following:

18 (i) How the program operates.

19 (ii) How to understand program disclosure documents.

20 (iii) How property tax and escrow increases operate.

21 (iv) How to understand quotes from project contractors.

22 (v) Other standard types of financing compared to financing  
23 under the program.

24 (vi) Applicable federal grant programs, such as the United  
25 States Department of Energy's weatherization assistance program,  
26 available to qualifying low-income record owners.

27 (n) Provisions for an adequate debt service reserve fund.

28 (o) Quality assurance and antifraud provisions.

29 (p) For an energy project financed with more than \$250,000.00

1 in assessments, both of the following:

2 (i) A requirement for ongoing calculation of the savings  
3 realized by the record owner from the energy project.

4 (ii) A requirement that a project contractor guarantee to the  
5 record owner that the energy project will achieve a savings-to-  
6 investment ratio greater than 1 and agree to pay the record owner,  
7 on an annual basis, any shortfall in savings below this level. This  
8 subparagraph does not apply to a new construction energy project.

9 (q) A requirement that a new construction energy project meet  
10 the applicable requirements of the Stille-DeRossett-Hale single  
11 state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531,  
12 and rules promulgated thereunder.

13 (r) A requirement that the contract and financing for the  
14 project comply with applicable state consumer financial protection  
15 laws.

16 (s) A requirement that the administrator maintain project  
17 pricing controls to help prevent project contractors from charging  
18 record owners more for materials, labor, or both than would be  
19 charged if the project was financed outside of the program or paid  
20 for in cash. The pricing controls shall be developed using data  
21 from reputable, third-party, independent sources. The administrator  
22 shall not disclose the pricing controls to any project contractor  
23 or any third party engaged in soliciting program financing. The  
24 administrator shall not disclose to any project contractor or any  
25 third party engaged in soliciting program financing the maximum  
26 amount of financing for which a record owner is eligible.

27 (t) Requirements that the administrator do all of the  
28 following:

29 (i) Confirm that all project contractors are licensed, insured,

1 and bonded as required by state law.

2 (ii) Conduct reputational and criminal background checks on all  
3 project contractors or verify reputational and criminal background  
4 with the department of licensing and regulatory affairs.

5 (iii) Ensure that all project contractors agree in writing to  
6 comply with all program requirements and advertising and marketing  
7 standards.

8 (iv) Develop and maintain written procedures for monitoring  
9 project contractors for compliance with program requirements and  
10 for the suspension or termination of project contractors who  
11 violate program requirements or exhibit unscrupulous behavior.

12 (u) A requirement that the administrator develop and maintain  
13 policies and procedures to assist a record owner facing foreclosure  
14 for failure to pay annual assessments related to program financing.

15 (v) A requirement that the administrator develop and maintain  
16 options, such as assessment modifications and forbearance policies,  
17 to help record owners whose household income is below 80% of the  
18 area median income avoid foreclosure for failure to pay annual  
19 assessments related to program financing, to the extent consistent  
20 with applicable state laws and other legal obligations.

21 (w) A requirement that the administrator provide record owners  
22 over 75 years of age and low-income record owners, based on the  
23 owner's stated income, with proactive communication during the  
24 financing origination process, including all of the following:

25 (i) During the telephone call under section 24(3)(c), notice of  
26 the record owner's 5-day right to cancel the project financing  
27 agreement under the program.

28 (ii) A second telephone call before expiration of the right-to-  
29 cancel period to confirm the record owner's understanding of the

1 project financing agreement under the program.

2 (iii) A final telephone call with the record owner to confirm  
3 project completion after the administrator's receipt of written  
4 confirmation of project completion.

5 (x) A requirement that, when a change order on a project  
6 significantly increases the cost of the original project or  
7 significantly expands the scope of the original project, the  
8 administrator notify, confirm the change with, and provide an  
9 updated financing estimate and disclosure document to the record  
10 owner.

11 (y) A requirement that the administrator develop a document  
12 outlining the annual assessments, the monthly amount record owners  
13 must add to their impound account with the mortgage lender, and a  
14 form the record owner can use to communicate that information to  
15 the loan servicer. The administrator shall provide the document to  
16 the record owner when the project is funded. At least 60 days  
17 before the due date of each of the first 2 property tax payments  
18 that include a program assessment, the administrator shall provide  
19 a notice to the record owner. The notice shall indicate that the  
20 document developed under this subdivision was provided to the  
21 record owner when the project was funded and that the record owner  
22 may need to adjust its mortgage escrow payments with its servicer.

23 (z) A requirement that the administrator make the program  
24 guide under subdivision (m), program contracts between the local  
25 unit of government and the record owner, and disclosure documents  
26 available in English and Spanish.

27 (2) The local unit of government shall make the report  
28 required under section 22 available for review on the local unit of  
29 government's website or at the office of the clerk or the official

1 authorized to enter into contracts on behalf of the local unit of  
2 government under the property assessed clean energy program.

3 Sec. 24. (1) A local unit of government may impose an  
4 assessment under a property assessed clean energy program only  
5 pursuant to a contract under section 21(2) with the record owner of  
6 the property to be assessed.

7 (2) Before entering into a contract with the record owner  
8 under section 21(2), the local unit of government, using reasonable  
9 means, must verify that all of the following apply:

10 (a) None of the following are delinquent with respect to the  
11 property:

12 (i) A tax, special assessment, or water or sewer charge.

13 (ii) An assessment for another project under a property  
14 assessed clean energy program.

15 (iii) A mortgage payment.

16 (b) The property is not subject to a reverse mortgage.

17 (c) The record owner is not subject to a mortgage forbearance.

18 (d) The record owner is not a party to a current bankruptcy  
19 proceeding.

20 (e) The property was not gifted to the record owner by a  
21 nonprofit entity.

22 (f) The requirements of section 23(1)(j), (k), and (l) will be  
23 met.

24 (3) Before a local unit of government enters into a contract  
25 with the record owner under section 21(2), all of the following  
26 requirements must be met:

27 (a) The local unit of government must deliver to the record  
28 owner a written financing estimate that discloses all of the  
29 following:

1 (i) The project term.

2 (ii) The project interest rate and annual percentage rate.

3 (iii) The project costs, including, but not limited to, fees as  
4 described in section 23(1) (h) (ii) .

5 (iv) The projected annual payment on the assessment.

6 (v) That all financing under the program, home equity lines of  
7 credit, and home equity loans may need to be paid in their entirety  
8 if the property is sold or refinanced.

9 (vi) The total amount of the assessment.

10 (vii) The total amount the record owner will pay over the  
11 financing term.

12 (viii) The payment schedule.

13 (ix) That the failure to pay the assessment can result in  
14 foreclosure on the property.

15 (b) The record owner must acknowledge in writing that the  
16 record owner has read and understands the financing estimate under  
17 subdivision (a) .

18 (c) The local unit of government must conduct a live telephone  
19 call with the record owner, in English or Spanish at the option of  
20 the record owner, to help ensure that the record owner understands  
21 the financing estimate. The call must be completed before a  
22 contractor is authorized to begin work on the project. The call  
23 shall be recorded and include the following:

24 (i) Project cost.

25 (ii) The project interest rate and annual percentage rate.

26 (iii) The project fees as described in section 23(1) (h) (ii) .

27 (iv) The payment amount, frequency, and term.

28 (v) An explanation, in plain language, of how the assessment

1 is levied and collected.

2 (vi) An explanation that the assessment will result in a lien  
3 on the property.

4 (vii) The notice required under section 23(1)(w)(i), if  
5 applicable.

6 (4) All of the following apply to a contract entered into  
7 under section 21(2):

8 (a) The term shall not exceed the useful life of the project,  
9 as determined by credible, third-party sources.

10 (b) The interest rate shall be fixed and non-variable.

11 (c) Payments shall be fully amortizing.

12 (d) The annual percentage rate shall be calculated using  
13 generally accepted practices within the United States consumer  
14 financial services industry.

15 (e) Payment terms shall not include a prepayment penalty or  
16 balloon payment.

17 (f) The contract may be canceled by the record owner, with or  
18 without a reason and without any penalty, within 5 business days  
19 after the contract is executed by the record owner.

20 (5) Final payment shall not be issued to the contractor for a  
21 project under a program, unless both of the following requirements  
22 have been met:

23 (a) The record owner of the property certifies in writing that  
24 the project has been completed to the satisfaction of the record  
25 owner.

26 (b) The contractor certifies in writing all of the following:

27 (i) That the project meets the requirements of this act and  
28 standards established by the United States Department of Energy,  
29 the Environmental Protection Agency, other federal and state



1 agencies, or reputable third parties.

2 (ii) That final permits or inspections required by law have  
3 been or will be obtained.

4 (iii) That the contractor has not received and will not receive  
5 a direct cash bonus or compensation, beyond payment for the  
6 contracted cost of the project, in exchange for submitting an  
7 application for financing the project under the program.

8 Sec. 25. (1) An assessment imposed under a property assessed  
9 clean energy program, including any interest on the assessment and  
10 any penalty, constitute a lien against the property on which the  
11 assessment is imposed until the assessment, including any interest  
12 or penalty, is paid in full. The lien runs with the property and  
13 has the same priority and status as other property tax and  
14 assessment liens. The local unit of government has all rights in  
15 the case of delinquency in the payment of an assessment as it does  
16 with respect to delinquent property taxes. When the assessment,  
17 including any interest or penalty, is paid, the local unit of  
18 government shall remove the lien from the property.

19 (2) The administrator shall do all of the following:

20 (a) Within 60 days after the establishment of a program,  
21 create a registry of the local unit of government's liens under  
22 subsection (1).

23 (b) Maintain the registry and enter program lien information  
24 in the registry promptly.

25 (c) Review the registry before underwriting new projects.

26 (d) Provide access to the registry to all other administrators  
27 for local units of government who are authorized to make  
28 assessments under the program within the same jurisdiction.

29 (3) Installments of assessments due under a property assessed

1 clean energy program shall be managed as provided in 1 of the  
2 following:

3 (a) Included in each summer and winter tax bill issued under  
4 the general property tax act, 1893 PA 206, MCL 211.1 to 211.155,  
5 and collected at the same time and in the same manner as taxes  
6 collected under that act.

7 (b) Billed and collected as provided in a special assessment  
8 ordinance of general applicability adopted by the local unit of  
9 government pursuant to state law or local charter.

10 Sec. 26. (1) A local unit of government may issue bonds or  
11 notes to finance projects under a property assessed clean energy  
12 program.

13 (2) Bonds or notes issued under subsection (1) shall not be  
14 general obligations of the local unit of government, but shall be  
15 secured by 1 or more of the following as provided by the governing  
16 body in the resolution or ordinance approving the bonds or notes:

17 (a) Payments of assessments on benefited property within the  
18 district or districts.

19 (b) Reserves established by the local unit of government from  
20 grants, bond or note proceeds, or other lawfully available funds.

21 (c) Municipal bond insurance, lines or letters of credit,  
22 public or private guaranties, standby bond purchase agreements,  
23 collateral assignments, mortgages, or any other available means of  
24 providing credit support or liquidity, including, but not limited  
25 to, arrangements described in section 315 of the revised municipal  
26 finance act, 2001 PA 34, MCL 141.2315.

27 (d) Tax increment revenues that may be lawfully available for  
28 that purpose.

29 (e) Any other amounts lawfully available for that purpose.

1           (3) A pledge of assessments, funds, or contractual rights made  
2 by a governing body in connection with the issuance of bonds or  
3 notes by a local unit of government under this part constitutes a  
4 statutory lien on the assessments, funds, or contractual rights so  
5 pledged in favor of the person or persons to whom the pledge is  
6 given, without further action by the governing body. The statutory  
7 lien is valid and binding against all other persons, with or  
8 without notice.

9           (4) Bonds or notes of a series issued under this part may be  
10 secured on a parity with bonds or notes of another series issued by  
11 the local unit of government pursuant to the terms of a master  
12 indenture or master resolution entered into or adopted by the  
13 governing body of the local unit of government.

14           (5) Bonds or notes issued under this part are subject to the  
15 revised municipal finance act, 2001 PA 34, MCL 141.2101 to  
16 141.2821.

17           (6) Bonds or notes issued under this part and interest payable  
18 on the bonds and notes, are exempt from taxation by this state and  
19 its political subdivisions.

20           (7) Bonds or notes issued under this part further essential  
21 public and governmental purposes, including, but not limited to,  
22 reduced energy costs, reduced greenhouse gas emissions, improved  
23 public health, protection against climate hazards and other  
24 environmental hazards, economic stimulation and development,  
25 improved property valuation, and increased employment.

26           Sec. 27. An electric or natural gas provider shall receive  
27 appropriate credit toward applicable renewable energy or energy  
28 waste reduction standards established under the clean and renewable  
29 energy and energy waste reduction act, 2008 PA 295, MCL 460.1001 to

1 460.1211, as a result of implementation by its customer of an  
2 energy project under a property assessed clean energy program.

3       Sec. 28. (1) A local unit of government may join with any  
4 other local unit of government, with any other person, or with any  
5 number or combination thereof, by contract or otherwise as may be  
6 authorized by law, for the implementation of a property assessed  
7 clean energy program, in whole or in part.

8       (2) If a property assessed clean energy program is implemented  
9 jointly by 2 or more local units of government pursuant to  
10 subsection (1), a single public hearing held jointly by the  
11 cooperating local units of government is sufficient to satisfy the  
12 requirements of section 22(1)(b).

13       Enacting section 1. This amendatory act does not take effect  
14 unless Senate Bill No. \_\_\_\_ or House Bill No. 5119 (request no.  
15 02420'23 a) of the 102nd Legislature is enacted into law.